

February 3, 2021

VIA FEDERAL EXPRESS

Mr. Amaar Ashraf
Apothecary Movement LLC
d/b/a NaqshBeauty
3965 South Redwood Road
West Valley City, UT 84119

Mr. Amaar Ashraf
Apothecary Movement LLC
d/b/a NaqshBeauty
4537 South Basin Ridge Court
West Valley City, UT 84128

Re: Trademark Infringement

Dear Mr. Ashraf:

This firm represents FitLife Brands, Inc. ("FitLife"), which is an international provider of innovative and proprietary nutritional supplements for health conscious consumers. FitLife owns exclusive common law rights to the following trademarks in connection with dietary supplements and has supplemented and enhanced its common law rights by securing U.S. federal trademark registrations with the U.S. Patent and Trademark Office (collectively, the "FitLife Trademarks"):

- CENSOR (U.S. Registration No. 3,171,527); and
- LIPORUSH (U.S. Registration No. 4,180,857).

See Certificates of Registration, attached.

It has come to our attention that you are selling goods associated with the FitLife Trademarks including, but not limited to, on the following websites:

- https://www.amazon.com/NDS-Nutrition-LipoRush-Concentrated-Thermogenic/dp/B06XB3S7GW/ref=sr_1_1?dchild=1&keywords=liporush&m=A39VPVZ31R682M&qid=1612382344&s=merchant-items&sr=1-1
- https://www.amazon.com/NDS-Nutrition-Censor-Supplement-Metabolism/dp/B00K9Q0K0U/ref=sr_1_1?dchild=1&keywords=censor&m=A39VPVZ31R682M&qid=1612382465&s=merchant-items&sr=1-1
- https://www.amazon.com/NDS-Nutrition-Censor-Supplement-Metabolism/dp/B00688GYKI/ref=sr_1_1?dchild=1&keywords=censor&m=A39VPVZ31R682M&qid=1612382465&s=merchant-items&sr=1-1&th=1

These sales are unauthorized by FitLife and the goods are being sold in a manner likely to cause the public to believe you are part of FitLife's authorized distribution network or one of FitLife's authorized GNC franchisees. Thus your unauthorized sale of goods associated with the FitLife Trademarks is likely to cause confusion, mistake and deception among consumers as to the source, origin and/or sponsorship of FitLife's products.

EXHIBIT

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Such improper use of the FitLife Trademarks, without a current license, violates § 32(a) of the Lanham Act, 15 U.S.C. § 1114 for trademark infringement. Such improper use also violates § 43(a) of the Lanham Act, 15 U.S.C. § 1125(a) for unfair competition and false advertising. Such improper use still further constitutes as deceptive trade practices under Nebraska's Uniform Deceptive Trade Practices Act, Neb. Rev. Stat. §§ 87-301 to 87-306 (Reissue 2008).

FitLife prefers to resolve this matter amicably. Accordingly, we ask that you provide us with prompt and satisfactory written assurances that you will:

1. Cease and desist from all further use of the FitLife Trademarks, and any and all designations similar to these marks;
2. Cease and desist from all further sales of goods associated with the FitLife Trademarks online and in brick-and-mortar retail stores;
3. Destroy any materials in your possession or control bearing any designation likely to cause confusion with the FitLife Trademarks; and
4. Provide contact information of the individual or entity by whom you acquired goods associated with the FitLife Trademarks, including any invoices and receipts.

If the undersigned does not receive a satisfactory response by the close of business on February 12, 2021, FitLife is prepared to take all steps necessary to protect its valuable intellectual property rights, including the filing of a Complaint with the United States District Court, District of Nebraska and immediate request for a preliminary injunction. FitLife expressly reserves all of its legal and equitable rights and remedies and nothing herein shall be viewed as a waiver of the same.

I look forward to your timely response.

Best regards,



Luke C. Holst

LCH:amw
Encl.

cc: Dayton Judd, Chief Executive Officer
FitLife Brands, Inc.

United States of America
United States Patent and Trademark Office

LIPORUSH

Reg. No. 4,180,857

Registered July 24, 2012

Int. Cl.: 5

TRADEMARK

PRINCIPAL REGISTER

BOND LABORATORIES, INC. (NEVADA CORPORATION)
4509 S. 143RD STREET, SUITE 1
OMAHA, NE 68137

FOR: DIETARY SUPPLEMENTS, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 11-22-2011; IN COMMERCE 11-22-2011.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SN 85-428,513, FILED 9-21-2011.

DAVID COLLIER, EXAMINING ATTORNEY



David J. Kyros

Director of the United States Patent and Trademark Office

Int. Cl.: 5

Prior U.S. Cls.: 6, 18, 44, 46, 51 and 52

Reg. No. 3,171,527

United States Patent and Trademark Office

Registered Nov. 14, 2006

**TRADEMARK
PRINCIPAL REGISTER**

CENSOR

NDS NUTRITIONAL PRODUCTS, INC. (NE-
BRASKA CORPORATION)
13423 LYNAM DRIVE
OMAHA, NE 68138

THE MARK CONSISTS OF STANDARD CHAR-
ACTERS WITHOUT CLAIM TO ANY PARTICULAR
FONT, STYLE, SIZE, OR COLOR.

FOR: DIETARY SUPPLEMENTS, IN CLASS 5 (U.S.
CLS. 6, 18, 44, 46, 51 AND 52).

SER. NO. 78-787,849, FILED 1-9-2006.

FIRST USE 11-0-2002; IN COMMERCE 11-0-2002.

TIMOTHY FINNEGAN, EXAMINING ATTORNEY